

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA )  
                                ) Case No. 1:09-CR-181-01  
v.                              )  
                                ) Chief Judge Curtis L. Collier  
HARRY A. PRITCHETT A/K/A "OSAMA" )

**MEMORANDUM & ORDER**

Before the Court is Defendant Harry A. Pritchett's ("Defendant") *pro se* motion for production of transcripts (Court File No. 1436). Defendant seeks to obtain a copy of his trial transcript for purposes of researching issues for his appeal as well as other motions that Defendant has filed or intends to file in the future. At the outset, this Court notes that Defendant's transcript request is improperly before this Court. However, more importantly, this Court reminds Defendant that he is currently represented by counsel who can assist Defendant with his appeal and in filing any relevant motions.<sup>1</sup> Although Defendant expresses that he would like to "waive his right to counsel for purposes of this motion only," Defendant cannot both proceed *pro se* and have counsel. See E.D. Tenn. L.R. 83.4(c). This Court also notes that Defendant admits he has discussed the topic of transcripts with his attorney; he is just dissatisfied with the length of time it may take to obtain the transcripts. For the above reasons, the Court **DENIES** Defendant's *pro se* motion for production of transcripts (Court File No. 1436).

**SO ORDERED.**

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<sup>1</sup> Defendant avers he would like to obtain the transcripts to research matters related to various motions, such as his motion for a new trial (Court File No. 1434). However, the Court directs Defendant to its recent order denying Defendant's motion for a new trial (Court File No. 1435). To the extent Defendant has a claim that can be heard under Rule 33(b)(1) of the Federal Rules of Criminal Procedure, this Court cannot address it while his appeal is pending.

ENTER:

/s/

**CURTIS L. COLLIER**  
**CHIEF UNITED STATES DISTRICT JUDGE**